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To: A. Gibbs Fax: 408 720 8383
From: R. Pezzuto Date: 1/28/04
Re: _____ Pages: _____
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Notes

The letter pen our
conversation.

Bob Pezzuto

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CONFIDENTIAL

Application/Control Number: 09/717,433
Art Unit: 3671

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Blakely, Sokoloff, Taylor and Zafman LLP
12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025-1026
Attn: Andre Gibbs

January 17, 2004

Mr. Gibbs,

This letter is to confirm the conversation that we regarding application serial numeral 09/717,433. As per our conversation, I intend to vacate the outstanding Final rejection and send a new, non-final rejection better setting forth my understanding of the cited reference. Because of the vacation of the outstanding office action, there is no response required from your office.

If I can be of any further assistance or answer any questions, please feel free to call me at (703) 308-1012.

Respectfully,



Robert Pezzuto
Primary Examiner
January 17, 2004

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